

REMARKS

Claims 44, 46, 48, 50, 52 and 53 are pending in the present application, with claims 44, 48 and 52 being independent. By this Amendment, claims 50, 52 and 53 are amended. No new matter is added.

Claim 50, 52 and 53 is amended to improve form or to expedite prosecution. Support for the claims is found in the disclosure as originally filed.

Applicants thank Examiner Zhao for the courtesies extended to Applicants' representative during the April 24, 2009 personal interview. The points discussed are incorporated into the remarks below, and constitute the Applicants' record of the personal interview.

The amendment to claims 52 and 53 are based on language discussed during the April 24, 2009 personal interview.

Objection To The Specification

The specification is objected to for failing to provide proper antecedent basis for the claimed subject matter. To expedite prosecution, claims 52 and 53 are amended. Withdrawal of the objection is respectfully requested.

Claim Objections

Claim 50 is objected to as containing informalities. Claim 50 is amended to revise its dependency. Withdrawal of the objection is respectfully requested.

Claim Rejections Under 35 U.S.C. § 101

Claims 52 and 53 are rejected under 35 U.S.C. § 101 as allegedly non-statutory. While it is believed that the claims were previously compliant under 35 U.S.C. §101 as would have been understood by one of ordinary skill in the art, claims 52 and 53 are amended to obviate the rejection to clarify that the medium is recordable medium. Withdrawal of the rejection is respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

Claims 44, 46, 48, 50 and 52-53 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Yamauchi et al. (US No. 6,088,507) and further in view of Hamada et al. (US No. 6,430,122 B1). The rejection is respectfully traversed.

As it was noted during the personal interview, Yamauchi and Hamada, either individually or in combination, fail to disclose or suggest a method of controlling resume-playback of one or more titles recorded on a recording medium comprising resuming playback of the first title based on the resume information of the first title by executing a resume command, the resume command being contained in a command group of the recording medium, wherein the resume information of the first title includes; resume position information being used to represent resuming playback position of the first title; title number of the first title; and highlighted button number for selection state, as recited in claim 44, and as similarly recited in claims 48 and 52.

Specifically, in addition to the deficiency that is acknowledged by the Examiner in the Office Action, Yamauchi is further deficient because Yamauchi further fails to disclose that the resume information of the first title includes the highlighted button number for selection state.

Rather than using the highlighted button number for selection state as a kind of resume information of the first title, Yamauchi simply disclose information that shows the construction of button color information and button information (see, col. 11, line 54-col. 12, line 23 and FIG. 11 of Yamauchi). However, Yamauchi does not disclose that its information related to the button is included in the resume information of the first title as the highlighted button number for selection state.

Additionally, Hamada not only fails to disclose this additional deficiency of Yamauchi, Hamada even fails to remedy the deficiencies of Yamauchi acknowledged by the Examiner. Specifically, Hamada does not disclose the recited resumable flag which indicates whether the first title is resumable. Rather, col. 22, lines 11-33 of Hamada discloses apparently that a flag of the resume () expression is used to temporarily enable or disable the resume function of the recording/playback apparatus of Hamada, instead of being a flag which indicates whether the first title is resumable. Moreover, the flag of Hamada is apparently used to indicate whether resume function information of the recording/playback function is valid or invalid (see, col. 22, lines 17-33), so that the flag of Hamada is not used to indicate whether the first title is resumable.

Accordingly, based on all of the above, Yamauchi and Hamada, either individually or in combination, fail to disclose or suggest each and every feature of claim 44, as well as each and every feature of claims 48 and 52. Accordingly, claims 44, 48 and 52 are patentably distinguishable over the applied references and their combination.

Claim 46, which depends from claim 44; claim 50, which depends from claim 48; and claim 53, which depends from claim 52, are likewise patentable over the applied references and

their combination for at least the reasons discussed above and/or for the additional features they recite. Withdrawal of the rejection is respectfully requested.

Conclusion

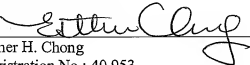
In view of the above amendment and/or remarks, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Seth S. Kim, Reg. No. 54,577, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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